



HIAWATHA
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INCORPORATED

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February 20, 2009

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W., Suite TW-A325
Washington, D.C. 20554

Re: Petition for Extension of Time

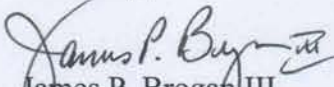
Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans, Improvement of Wireless Broadband Subscribership Data, and Development of Data on Interconnected Voice over Internet Protocol (VoIP) Subscribership, WC Docket No. 07-38

Dear Secretary Dortch:

Please accept the attached Petition for Extension of Time for filing in the docket referenced above. This filing is being made on behalf of Hiawatha Communications Inc. and our subsidiaries (Chippewa County Telephone Company, Brimley MI; Hiawatha Telephone Company, Munising MI; Midway Telephone Company, Watton MI; and Ontonagon County Telephone Company, Ontonagon MI).

Feel free to contact me if you have any questions about this filing.

Sincerely,


James P. Brogan III
President & C.E.O.

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of

Development of Nationwide Broadband Data)	
To Evaluate Reasonable and Timely Deployment)	WC Docket No. 07-38
Of Advanced Services to All Americans,)	
Improvement of Wireless Broadband Subscription)	
Data, and Development of Data on Interconnected)	
Voice Over Internet Protocol Subscribership)	

REQUEST FOR EXTENSION OF TIME

On behalf of its subsidiaries (Chippewa County Telephone Company, Brimley MI; Hiawatha Telephone Company, Munising MI; Midway Telephone Company, Watton MI; and Ontonagon County Telephone Company, Ontonagon MI), Hiawatha Communications Inc. ("HCI") hereby requests that the Commission extend the deadline for filing of the fully-revised broadband data reports (Form 477 Reports) established in this docket until 30 days after the Commission has made available the system to accept those reports.

On June 12, 2008, the Commission released its *Order* in this proceeding, which had been adopted nearly three months earlier.¹ On the same day, the Commission released a *sua sponte Order on Reconsideration* which—without additional public comment or advance notice—imposed additional data reporting obligations.² Those Orders provided respondents with a high-level summary of the information that they would need to report while noting that, for the first time, filers would be required to submit their Form 477 data in a database format, "*the details of*

¹ *Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans, Improvement of Wireless Broadband Subscribership Data, and Development of Data on Interconnected Voice over Internet Protocol (VoIP) Subscribership*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 07-38, FCC 08-89 (rel. June 12, 2008) ("*Order*")

² *Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans, Improvement of Wireless Broadband Subscribership Data, and Development of Data on Interconnected Voice over Internet Protocol (VoIP) Subscribership*, Order on Reconsideration, WC Docket No. 0738, FCC 08-148 (rel. June 12, 2008) ("*Order on Reconsideration*").

which will be specified in a subsequent Commission release.”³ In the intervening eight months, no additional information was released by the Commission until last week when, 11 business days before the filing deadline, the Commission issued a Public Notice and posted on its web site (i) screen shots of the electronic filing interface; (ii) Form 477 instructions; and (iii) Frequently Asked Questions.⁴ As of the date of this filing, the interface itself is not available for use or even inspection by filers. The lack of access to the actual interface severely limits the ability of respondents to prepare for the filing.

Recognizing the “significant changes and increased burden” being imposed on companies by these new Form 477 requirements, the Office of Management and Budget (“OMB”) urged the Commission in its approval of this information collection to show a willingness to “be flexible with and assist respondents who may have difficulty in submitting information in the new format.”⁵ Due to the extended delay in providing filing information to the public, and the continued unavailability of the actual filing interface, it will simply be impossible for companies to identify such difficulties before March 2, let alone for the Commission to be able to provide significant assistance to the hundreds of companies required to file—some for the first time. Under these circumstances, OMB’s call for flexibility and assistance can only be met through a grant of a reasonable extension of time.

Importantly, these concerns persist regardless of diligent efforts by companies to be prepared for the March 2 deadline. Without having any opportunity to test the system and understand how it works, there will certainly be significant confusion among carriers filing reports.

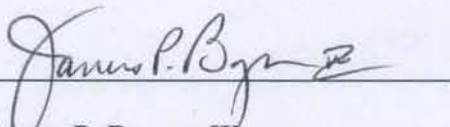
³ Order at para. 20, note 67.

⁴ *Resources Available to Assist Filers in Connection with Revised FCC Form 477 For the March 2, 2009 Filing Deadline*, Public Notice, DA 09-231 (rel. February 12, 2009). Some respondents did become aware of these filing instructions and screen shots prior to February 12 as they were submitted to OMB in connection with its Paperwork Reduction Act review of these information collections, and as a result could be uncovered (with some time and effort) on the OMB web site. This submission by the FCC was made on Christmas Eve, December 24, 2008. Of course, there was no reason for companies to expect to find this information on the OMB web site, and most respondents have only become aware of this through word of mouth very recently. OMB approval of this information collection was not granted until January 30.

⁵ Notice of OMB Action, ICR Ref. No. 200807-3060-004 (January 30, 2009).

Additionally, there is the possibility that in the rush to meet the March 2 deadline, the Commission's new reporting system will become overburdened by the volume of reporting data being filed in such a short time. But beyond carrier confusion and potential technical issues, and perhaps most importantly, absent a reasonable amount of time following the release of the interface for filers to familiarize themselves with the reporting system, the Commission runs the risk that the data reported will not be accurate. Given the importance the Commission has placed on Form 477 data, HCI believes that a short 30 days extension will better serve the long-term public interest goals of the Commission in accurate broadband data.

For these reasons, HCI requests that the Commission extend the deadline for filing the Form 477 Reports until 30 days after its new electronic interface is on-line and available to receive filings. This extension will provide sufficient time for companies that have been diligent in their preparation to familiarize themselves with the new system, raise questions and obtain clarifications from Commission staff, and identify concerns with the new filing system. By granting the extension, the Commission furthers the public interest by obtaining more granular FCC Form 477 data with minimal delay while ensuring that the critical data on broadband deployment and availability submitted is accurate.



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